

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

KIM FRACHEY, NANCY MALONEY,
SOCORRO NIETO, CHAD FLOLO,
NATALIE FLOLO, CHARLES AMANING,
and FOX VALLEY FAMILIES AGAINST
PLANNED PARENTHOOD, an
Unincorporated Association,

Plaintiffs,

v.

PLANNED PARENTHOOD/CHICAGO
AREA, an Illinois Not-for-Profit Corporation,
STEVEN TROMBLEY, GEMINI OFFICE
DEVELOPMENT, LLC, An Illinois Limited
Liability Corporation, 21st CENTURY
OFFICE DEVELOPMENT, LLC, an Illinois
Limited Liability Corporation, CITY OF
AURORA, A Home-Rule Municipal
Corporation, ZONING BOARD OF APPEALS
FOR THE CITY OF AURORA, ED SIEBEN,
THOMAS WEISNER, HERMAN BENEKE,
PLANNING & DEVELOPMENT
COMMITTEE OF THE CITY OF AURORA,
PLANNING COMMISSION OF THE CITY
OF AURORA, and BUILDING CODE
BOARD OF APPEALS OF AURORA,

Defendants.

Case No. 08 C 1148

Judge Norgle

**MOTION FOR EXTENSION OF TIME
TO ANSWER OR OTHERWISE PLEAD
TO PLAINTIFFS' COMPLAINT**

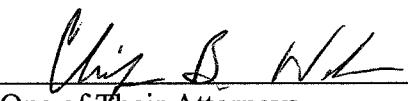
Now come Defendants, Planned Parenthood Chicago Area, Steven Trombley, and Gemini Office Development, LLC (collectively "the Planned Parenthood Defendants"), by and through their attorneys, Perkins Coie LLP, and submit this Motion for Extension of Time to Answer of Otherwise Plead to Plaintiffs' Complaint pursuant to Rule 6(b) of the Federal Rules of

Civil Procedure. In further support of this Motion, the Planned Parenthood Defendants state as follows:

1. On February 13, 2008, Plaintiffs filed their Complaint for Administrative Review and Other Relief.
2. On February 27, 2008, Defendant, the City of Aurora, filed its Notice of Removal, removing Plaintiffs' Complaint to this Court under the federal question doctrine, pursuant to 28 U.S.C. §§ 1441 and 1446.
3. On March 17, 2008, Defendant, the City of Aurora filed its Motion to Dismiss those portions of Plaintiffs' Complaint asserting certain constitutional claims.
4. Of the eight counts in Plaintiffs' Complaint, three concern Planned Parenthood Defendants. These include: Count I seeking Administrative Review of the Zoning Board of Appeals decisions under the Illinois Administrative Review Act, 735 ILCS 5/3-101, et.seq; Count II seeking Common Law Administrative Review Upon a Writ of Certiorari; and Count III alleging violations of the Illinois Municipal Act, 65 ILCS 5/11-13-15, and the Aurora Zoning Ordinance.
5. Extending the time for the Planned Parenthood Defendants to Answer or Otherwise Plead to Plaintiffs Complaint will conserve judicial resources by permitting the court to resolve any jurisdictional issues before addressing discovery or the merits of any particular claim.

WHEREFORE, Defendants Planned Parenthood Chicago Area, Steven Trombley, and Gemini Office Development, LLC seek an order of this court extending the time to answer or otherwise plead to Plaintiffs' Complaint until resolution of the Motion to Dismiss of the City of Aurora or such further time as the court deems proper.

PLANNED PARENTHOOD/CHICAGO AREA,
GEMINI OFFICE DEVELOPMENT, LLC, and
STEVEN TROMBLEY

By: 
One of Their Attorneys

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Dated: March 19, 2008